

REMARKS

The above-identified application is United States application serial number 10/612,361 filed on July 2, 2003. Claims 1-24 are pending in the application. Claims 1-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Christie US Patent No. 5,881,960, (hereafter "Christie").

Claim Rejections - 35 U.S.C. § 112

Claims 1-24 are rejected under 35 U.S.C. 112, first and second paragraphs, as failing to comply with the written description requirement and being indefinite because there is no description of how a cartridge with an opening and a cartridge without an opening operate at the same time with the probe. In response, Applicant draws attention to paragraph [0029] in the specification to support Claims 1-24. The probe is configured to accommodate cartridges with and without an opening in the center of the hub. The cartridges do not simultaneously operate with and without an opening, but rather the hub is designed to work interchangeably with cartridges whether they have an opening or not. Independent Claims 1, 11, 16, and 21 have been amended to distinguish between operation with a cartridge with and without an opening.

Removal of the rejection under 35 U.S.C. 112, first and second paragraphs, is requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Christie (U.S. Patent No. 5,881,960). Independent Claims 1, 11, 16, and 21 include an opening through which a probe protrudes. Christie, Figure 4, teaches a substantially solid hub with a concavity 130. The centering spindle 162 exerts pressure against the concavity 130 once the cartridge is fully inserted in the tape drive to reduce vibration of the cartridge to obtain better control of the tape position relative to the magnetic head. (See Christie, Col. 2, lines 55-60,

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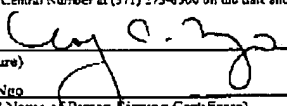
Col. 3 lines 1-31, and Col. 5 lines 14-31). Allowing the centering spindle to protrude through an opening in the cartridge would defeat the purpose of the Christie device because no pressure would be exerted against the concavity to reduce vibration. Claims 1, 11, 16, and 21 are thus distinguishable from Christie for at least these reasons.

Claims 2-10 depend from Claim 1, Claims 12-15 depend from Claim 11, Claims 17-20 depend from Claim 16, and Claims 22-24 depend from Claim 21, respectively, and include features that further distinguish them from the cited reference.

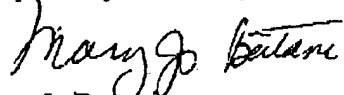
Allowance of Claims 1-24 is respectfully requested.

CONCLUSION

Applicant believes Claims 1-24 are in form for allowance and a notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-6300 on the date shown below.	
	
(Signature)	
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(Printed Name of Person Signing Certificate)	
September 30, 2005	
(Date)	

Respectfully submitted,


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